

# **EXHIBIT**

# **D**



# Transportation Security Administration

## Claims Management System

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### Claim Overview

April 15, 2008

Claim Number: 2007042724670

Claim Status: Closed : Denied (Reconsider) (Litigation)

Incident Report: [\[add\]](#)

### Claimant Information

Name: Joseph Collins

Company:

Address: 356 W. Scott St.  
Chicago, IL 60610

Country: UNITED STATES

Phone: 312-368-2143

Email Address: joseph.collins@dlapiper.com

### Claim Information

Date Received: 04/27/2007

Incident Date: 04/24/2007

Incident Time:

Claim Type: Passenger Loss

Site of Incident: Checked Baggage

Baggage Claim Check #: AA316755

Claim Amount: \$2,900.00

Airport / Airline: [Miami International Airport](#) / American Airlines

Contractor:

Description: Pax states watch was missing from CB.

### Claim Sufficiency

SUM CERTAIN: Yes SPECIFIC DATE: Yes SPECIFIC LOCATION: Yes

STATEMENT OF FACT: Yes SIGNATURE: Yes

## Claim Tracking

Event Date	Description
04/27/2007	Active claim processor assignment changed. (user Tacarra Johnson)
04/27/2007	Claim started in system (user Tacarra Johnson)
04/27/2007	Claim determined sufficient and received. : 04/27/2007 (user Tacarra Johnson)
04/27/2007	Active claim processor assignment changed. to CMC and changed claim status (user Brandy Facey2) (by Tacarra Johnson)
06/26/2007	CMC examiner reviewed claim and made recommendation.: recommend deny (user Brandy Facey2)
07/13/2007	Active claim processor assignment changed. to DAO and changed claim status (user Nicholas Panuzio)
07/13/2007	OCC approved CMC recommendation (user Nicholas Panuzio)
07/13/2007	Active claim processor assignment changed. Active assignment removed (user Nicholas Panuzio)
07/13/2007	Status of claim was changed : Closed (user Nicholas Panuzio)

## Claim Letters

## Unprinted Letters

None

## Printed Letters

Letter Name

7-02-6 Denial - No Recon

1-1-5 Acknowledgment

[\[View\]](#)[\[View\]](#)

## Claim Notes

**Date:** 09/28/2007 **Added By:** Bernadette Hamilton

Claimant's denial letter was returned to sender.

**Date:** 07/23/2007 **Added By:** Damon Ivy3

USPS 71112746297001027492

**Date:** 07/05/2007 **Added By:** Brandy Facey2

From: Levesque, Guy  
Sent: Thursday, July 05, 2007 10:39 AM  
To: Facey, Brandy  
Subject: RE: Collins--2007042724670 Rolex Missing

Hi Brandy,

Unfortunately, most TSA CB locations are close to AA counters.

To be able to assist you we really need to know where! If he remembers which checkpoint he was sent to we may have a better chance of locating where he took his bag for inspection. Sorry, we can't be of any help.

Guy O. Levesque  
Transportation Security Administration  
Customer Service Support

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From: Facey, Brandy  
Sent: Tuesday, June 26, 2007 12:08 PM  
To: Levesque, Guy  
Subject: RE: Collins--2007042724670 Rolex Missing

Good Morning Guy,

I spoke with the claimant this morning and he says that he cannot recall the exact location of the checkpoint or any nearby retailers or eateries. He does indicate that the TSA CB location was a short distance from the AA ticket counter and he did not remain for inspection.

**Date:** 06/26/2007      **Added By:** Brandy Facey2

From: Levesque, Guy  
Sent: Friday, June 15, 2007 11:07 AM  
To: Facey, Brandy  
Subject: RE: Collins--2007042724670 Rolex Missing

Good morning,

No file or information available at the Miami office. Unfortunately, when inspecting bags for AA it could be in a public view or out of public area; really need to know where the bags were taking for TSA inspection!

Guy O. Levesque  
Transportation Security Administration  
Customer Service Support

**Date:** 06/26/2007      **Added By:** Brandy Facey2

From: Facey, Brandy

Sent: Tuesday, June 26, 2007 12:08 PM  
To: Levesque, Guy  
Subject: RE: Collins--2007042724670 Rolex Missing

Good Morning Guy,

I spoke with the claimant this morning and he says that he cannot recall the exact location of the checkpoint or any nearby retailers or eateries. He does indicate that the TSA CB location was a short distance from the AA ticket counter and he did not remain for inspection.

**Date:** 06/26/2007      **Added By:** Brandy Facey2

\*\* I did attempt to get a more specific location of where he checked his bags in, but the claimant could not recall the concourse nor any nearby retail stores or eateries. He could only tell me he flew 1st class, and that he took his bags to an area that was roped off. This information was provided to MIA, and in light of the additional information provided by the claimant, it is seems as though the area described by the claimant is in public view.

**Date:** 06/26/2007      **Added By:** Brandy Facey2

Received return call from claimant, 1148.

Per our discussion, the claimant arrived to MIA at about 1500 for his flight scheduled to depart at 1615. He checked his bags inside at the ticket counter and recalls leaving his bags with the TSA for inspection in a roped-off area; he did not remain present for inspection. His original flight was cancelled and the claimant was re-booked on a flight that departed at 1915; his bags had already been sitting idly since a little after 1500. When he arrived to ORD, his bags were on time and appeared to be in tact. It was not until he arrived to his home that he realized his Rolex watch was missing from the bag. He says that he could tell things had been moved around inside the bag, but there was no NOI inside. The watch was packed inside an inner pocket inside of his toiletry kit inside his main luggage.

The claimant did not file a claim with his insurance for fear of not having home-owners insurance renewed in the future. He does note that he did purchase another watch to replace it.

Recommend deny:

- Claimant's original flight was cancelled and he was re-booked onto a later flight, causing his bags to sit idly for about four (4) hours before departure.
- Contents appeared to have been moved around, no NOI present.
- CB screening for AA is done in public view and it is not likely this watch was removed from the bag at this location.
- Plausible the loss occurred after the bag was sent behind the scenes and sat idly for four hours waiting for departure for re-scheduled flight.

**Date:** 06/15/2007      **Added By:** Brandy Facey2

Email sent to MIA for additional information:

<https://cms.tsa.dhs.gov/openClaim.do?claimId=124670>

4/15/2008



From: Facey, Brandy  
Sent: Friday, June 15, 2007 10:58 AM  
To: Levesque, Guy  
Subject: Collins--2007042724670 Rolex Missing  
Importance: High

Good Morning Guy,

I have received a claim from Joseph Collins concerning the loss of a Rolex watch from his checked luggage; his claim information is as follows:

Date Received: 04/27/2007  
Incident Date: 04/24/2007  
Incident Time:  
Claim Type: Passenger Loss  
Site of Incident: Checked Baggage  
Baggage Claim Check #: AA316755  
Claim Amount: \$2,900.00  
Airport / Airline: Miami International Airport / American Airlines

**Contractor:**

Description: Pax states watch was missing from CB.

Do you have any additional information in support of this claim? Has the passenger contacted TSA in MIA concerning his loss? He does not indicate having found a NOI inside the bag. Are there partitions at the CB screening location or is the screening area in public view?

Thanks!

Brandy Facey, CTR  
Claims Examiner  
Claims Management Office  
Transportation Security Administration  
brandy.facey@associates.dhs.gov  
571.227.1977 Office Telephone  
571.227.1904 Fax Number  
1.866.289.9673 Toll Free

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<https://cms.tsa.dhs.gov/openClaim.do?claimId=124670>

4/15/2008